

01-30-01

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Practitioner's Docket No. 80169-0028 (GNX-028)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

01/29/01  
JC853 U.S. PTO  
09/771531  
01/29/01

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of  
Inventor(s): Zheng J. Geng

For (title): **METHOD AND APPARATUS FOR THREE-DIMENSIONAL IMAGING USING  
LIGHT PATTERN HAVING MULTIPLE SUB-PATTERNS**

1. Type of Application

This new application is for a(n)

Original (nonprovisional)  
 Design  
 Plant  
 Divisional.  
 Continuation.  
 Continuation-in-part (C-I-P).

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application(s).  
Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE  
BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

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CERTIFICATION UNDER 37 C.F.R. 1.10\*

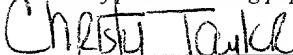
(Express Mail label number is **mandatory**.)

(Express Mail certification is **optional**.)

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service on this date **January 29, 2001**, in an envelope as "Express Mail Post Office to Addressee," mailing Label Number **EL 781 626 057 US**, addressed to the: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

Christy Taylor

(type or print name of person mailing paper)



Signature of person mailing paper

3. **Papers Enclosed**

**A. Required for Filing Date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application**

15 Pages of Specification

06 Pages of Claims

16 Sheets of Drawing

Formal  
 Informal

The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. § 1.84(b).

**B. Other Papers Enclosed**

02 Pages of declaration and power of attorney

01 Pages of Abstract

       Other

4. **Additional Papers Enclosed**

Amendment to claims

Cancel in this application claims \_\_\_\_\_ before calculating the filing fee.  
(At least one original independent claim must be retained for filing purposes.)

Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)

Preliminary Amendment

Information Disclosure Statement (37 C.F.R. § 1.98)

Form PTO-1449 (PTO/SB/08A and 08B)

Citations

Declaration of Biological Deposit

Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Authorization of Attorney(s) to Accept and Follow Instructions from Representative

Special Comments

Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i).

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Express Mail Label No. EL 781 626 057 US

**5. Declaration or Oath (including power of attorney)**

Enclosed  
Executed by

inventor(s).  
 legal representative of inventor(s). 37 C.F.R. § 1.42 or 1.43.  
 joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.

This is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 C.F.R. § 1.47 is also attached. See item 13 below for fee.

Not Enclosed.

Application is made by a person authorized under 37 C.F.R. 1.41(c) on behalf of *all* the above named inventor(s).  
 Showing that the filing is authorized.  
*(not required unless called into question. 37 C.F.R. § 1.41(d))*

**6. Inventorship Statement**

The inventorship for all the claims in this application are:

The same.  
**or**  
 Not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made,  
 is submitted.  
 will be submitted.

**7. Language**

English  
 Non-English  
 The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).

**8. Assignment**

An assignment of the invention to  
 is attached. A separate  "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or [ ] FORM PTO 1595 is also attached.  
 will follow.

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9. **Certified Copy**

Certified copy(ies) of application(s)

country	appln. no.	filed
country	appln. no.	filed
country	appln. no.	filed

from which priority is claimed

is (are) attached.  
 will follow.

10. **Fee Calculation (37 C.F.R. § 1.16)**

A.  Regular application

CLAIMS AS FILED			
Number Filed	Number Extra	Rate	Basic Fee 37 CFR 1.16(a)
			\$ 355.00
Total Claims (37 CFR 1.16(c))	36 - 20 = 16	X \$ 9.00	144.00
Independent Claims (37 CFR 1.16(b))	03 - 3 = 00	X \$ 40.00	
Multiple dependent claims, if any, (37 CFR 1.16(d))		X \$ 135.00	

Amendment canceling extra claims is enclosed.  
 Amendment deleting multiple-dependencies is enclosed.  
 Fee for extra claims is not being paid at this time.

Filing Fee Calculation \$ 499.00

B.  Design application  
(\$320.00—37 C.F.R. § 1.16(f))

Filing Fee Calculation \$

C.  Plant application  
(\$490.00—37 C.F.R. § 1.16(g))

Filing Fee Calculation \$

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**11. Small Entity Statement(s)**

Statement(s) that this is a filing by a small entity under 37 C.F.R. §§ 1.9 and 1.27 is (are) attached.

Status as a small entity was claimed in prior application \_\_\_\_\_, filed on \_\_\_\_\_ from which benefit is being claimed for this application under:  
35 U.S.C. §  119(e),  
 120,  
 121,  
 365(c),

and which status as a small entity is still proper and desired.

A copy of the statement in the prior application is included.

Filing Fee Calculation (50% of A, B or C above) \$ \_\_\_\_\_

**12. Request for International-Type Search (37 C.F.R. § 1.104(d))**

Please prepare an international-type search report for this application at the time when national examination on the merits takes place.

**13. Fee Payment Being Made at This Time**

Not Enclosed  
 No filing fee is to be paid at this time.  
*(This and the surcharge required by 37 C.F.R. § 1.16(e) can be paid subsequently.)*

Enclosed

Filing fee \$ 499.00

Recording assignment (\$40.00; 37 C.F.R. § 1.21(h))  
(See attached "COVER SHEET FOR  
ASSIGNMENT ACCOMPANYING NEW  
APPLICATION.") \$ \_\_\_\_\_

Petition fee for filing by other than all the inventors  
or person on behalf of the inventor where inventor  
refused to sign or cannot be reached  
(\$130.00; 37 C.F.R. §§ 1.47 and 1.17(i)) \$ \_\_\_\_\_

For processing an application with a  
specification in a non-English language  
(\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k)) \$ \_\_\_\_\_

Processing and retention fee  
(\$130.00; 37 C.F.R. §§ 1.53(d) and 1.21(l)) \$ \_\_\_\_\_

Fee for international-type search report  
(\$40.00; 37 C.F.R. § 1.21(e)) \$ \_\_\_\_\_

Total Fees Enclosed \$ 499.00

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Express Mail Label No. EL 781 626 057 US

14. **Method of Payment of Fees**

Check in the amount of \$ \_\_\_\_\_.  
 Charge Account No. **18-0013** in the amount of \$ **499.00**  
A duplicate of this transmittal is attached.

15. **Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. **18-0013**.

37 C.F.R. § 1.16(a), (f) or (g) (filing fees)  
 37 C.F.R. § 1.16(b), (c) and (d) (presentation of extra claims)  
 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)  
 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a).)  
 37 C.F.R. § 1.17 (application processing fees)  
 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))

16. **Instructions as to Overpayment**

Credit Account No. **18-0013**.  
 Refund.

Date: 29 January 2001

Reg. No. 36,372

Tel. No.: (248) 594-0645

Customer No. 010291



**SIGNATURE OF PRACTITIONER**

Anna M. Shih, Esq.  
RADER, FISHMAN & GRAUER PLLC  
39533 Woodward Avenue,  
Suite 140  
Bloomfield Hills, Michigan 48304

**Incorporation by reference of added pages**

Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed  
Number of pages added 03

Plus Added Pages for Papers Referred to in Item 4 Above  
Number of pages added 01

Plus added pages deleting names of inventor(s) named on prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.  
Number of pages added \_\_\_\_\_

Plus "Assignment Cover Letter Accompanying New Application"  
Number of pages added \_\_\_\_\_

**Statement Where No Further Pages Added**

This transmittal ends with this page.

R0103881.DOC

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Express Mail Label No. EL 781 626 057 US

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF  
PRIOR U.S. APPLICATION(S) CLAIMED**

**17. Relate Back**

Amend the specification by inserting, before the first line, the following sentence:

**A. 35 U.S.C. 119(e)**

"This application claims the benefit of U.S. Provisional Application(s) No(s).:

**APPLICATION NO(S).:**

60/178,695

**FILING DATE**

January 28, 2000

**B. 35 U.S.C. 120, 121 and 365(c)**

"This application is a

continuation  
 continuation-in-part  
 divisional

of copending application(s)

application number \_\_\_\_\_ filed on \_\_\_\_\_ "

International Application \_\_\_\_\_ filed on \_\_\_\_\_ and which designated the U.S."

"The nonprovisional application designated above, namely application  
\_\_\_\_\_, filed \_\_\_\_\_, claims the benefit of U.S. Provisional Application(s) No(s).:

**APPLICATION NO(S).:**

**FILING DATE**

Where more than one reference is made above please combine all references into one sentence.

**18. Relate Back—35 U.S.C. 119 Priority Claim for Prior Application**

The prior U.S. application(s), including any prior International Application designating the U.S., identified above in item 17B, in turn itself claim(s) foreign priority(ies) as follows:

Country	Appln. no.	Filed
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The certified copy(ies) has (have)

been filed on \_\_\_\_\_, in prior application \_\_\_\_\_, which was filed on \_\_\_\_\_.  
 is (are) attached.

#### 19. Maintenance of Copendency of Prior Application

A.  Extension of time in prior application

*(This item must be completed and the papers filed in the prior application, if the period set in the prior application has run.)*

A petition, fee and response extends the term in the pending **prior** application until  
 A copy of the petition filed in prior application is attached.

B.  Conditional Petition for Extension of Time in Prior Application

*(complete this item, if previous item not applicable)*

A conditional petition for extension of time is being filed in the pending **prior** application.  
 A copy of the conditional petition filed in the prior application is attached.

#### 20. Further Inventorship Statement Where Benefit of Prior Application(s) Claimed

*(complete applicable item (a), (b) and/or (c) below)*

(a)  This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are  
 the same.  
 less than those named in the prior application. It is requested that the following inventor(s) identified for the prior application be deleted:

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*(type name(s) of inventor(s) to be deleted)*

(b)  This application discloses and claims additional disclosure by amendment and a new declaration or oath is being filed. With respect to the prior application, the inventor(s) in this application are

the same.  
 the following additional inventor(s) have been added:

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*(type name(s) of inventor(s) to be deleted)*

(c)  The inventorship for all the claims in this application are

the same.  
 not the same. An explanation, including the ownership of the various claims at the time the last claimed invention was made  
 is submitted.  
 will be submitted.

**21. Abandonment of Prior Application (if applicable)**

Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

**22. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment**

There is provided herewith a Petition To Suspend Prosecution for the Time Necessary to File An Amendment (New Application Filed Concurrently)

**23. Small Entity (37 CFR § 1.28(a))**

Applicant has established small entity status by the filing of a statement in parent application \_\_\_\_\_ on \_\_\_\_\_.

A copy of the statement previously filed is included.

**24. NOTIFICATION IN PARENT APPLICATION OF THIS FILING**

A notification of the filing of this  
(check one of the following)

continuation  
 continuation-in-part  
 divisional

is being filed in the parent application, from which this application claims priority under 35 U.S.C. § 120.

R0103883.DOC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

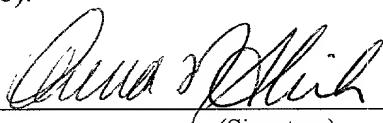
Inventor(s): **Zheng J. Geng**

For (title): **METHOD AND APPARATUS FOR THREE-DIMENSIONAL IMAGING  
USING LIGHT PATTERN HAVING MULTIPLE SUB-PATTERNS**

**REQUEST AND CERTIFICATION UNDER  
35 U.S.C. 112(b)(2)(B)(i)**

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Date: 29 January 2001

  
\_\_\_\_\_  
(Signature)

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**